

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

CAMERON M PERONI

Case No. 22-40667

Chapter 7

Debtor(s)

TRUSTEE’S APPLICATION TO APPROVE EMPLOYMENT OF ATTORNEYS

YOUR RIGHTS MAY BE AFFECTED BY THE RELIEF SOUGHT IN THIS PLEADING. YOU SHOULD READ THIS PLEADING CAREFULLY AND DISCUSS IT WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. IF YOU OPPOSE THE RELIEF SOUGHT BY THIS PLEADING, YOU MUST FILE A WRITTEN OBJECTION, EXPLAINING THE FACTUAL AND/OR LEGAL BASIS FOR OPPOSING THE RELIEF.

NO HEARING WILL BE CONDUCTED ON THIS APPLICATION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN FOURTEEN (14) DAYS FROM THE DATE OF SERVICE SHOWN IN THE CERTIFICATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING WITH APPROPRIATE NOTICE. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

COMES NOW Mark A. Weisbart, Chapter 7 Trustee (“Trustee”) in the above-numbered bankruptcy case, and files this his Application to Approve Employment of Attorneys pursuant to 11 U.S.C. § 327, and in support hereof, would show the Court the following:

1. On May 27, 2022, a voluntary petition under Chapter 7 of the Bankruptcy Code was filed by the Debtor(s). Mark A. Weisbart is the duly appointed Trustee.

2. The Trustee wishes to employ himself and his law office Hayward PLLC (collectively the “Firm”) to represent him in the above-numbered bankruptcy case effective as of July 1, 2022.

3. The Trustee has selected the Firm for the reason that it has considerable experience in matters of this nature. The Trustee believes that the Firm is well qualified to represent the Trustee in this bankruptcy case.

4. In addition to the standard legal services performed by counsel for a Chapter 7

Trustee, the professional services of the Firm will include pursuing the recovery and sale of estate assets.

5. The Firm represents no adverse interest to the Trustee or to the bankruptcy estate in the matters for which it is to be engaged. The Trustee will perform legal services through The Firm, on his own behalf, and is familiar with the quality and legal expertise of its members. The Firm's employment would be in the best interest of this estate. To the best of the Trustee's knowledge, the Firm has no connection with the Debtor, the creditors, any other party-in-interest or their respective attorneys, and accountants, the United States Trustee or any person employed in the Office of the United States Trustee. (See attached Affidavit of Mark A. Weisbart).

6. Trustee requests approval to retain the Firm as counsel pursuant to 11 U.S.C. §327(a) as Trustee believes that the retention of the Firm is in the bankruptcy estate's best interest.

7. 11 U.S.C. § 327(a) provides that a trustee may, with the Court's approval, employ one or more attorneys that do not hold or represent an interest adverse to the estate, and that are disinterested persons, to represent or assist the trustee in carrying out the trustee's duties under the Bankruptcy Code.

8. The terms of the employment of the Firm agreed to by the Trustee and subject to the approval of the Bankruptcy Court, are for services to be rendered at the normal hourly billing rates for legal services performed by the Firm. The Firm's billing rates for cases of this size and nature are as follows: Mark A. Weisbart – \$515.00 per hour; James S. Brouner – \$450.00 per hour; Michael Gilmore – \$225.00 per hour; paralegal – \$125.00 per hour. These rates are subject to annual adjustments at the beginning of each calendar year. The Firm will, from time to time, make application to this Court for approval of its legal fees and reimbursement of its out-of-pocket expenses.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that his Application to

Approve Employment of Attorneys be approved by this Court under the terms specified above, and for such other and further relief to which he may show himself to be justly entitled.

Respectfully Submitted,

/s/ Michael Gilmore
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COUNSEL FOR CHAPTER 7 TRUSTEE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing instrument was served on the parties on the attached mailing list in accordance with LBR 9013(f) either through the Court's electronic notification system as permitted by Appendix 5005 III. E. to the Local Rules of the U.S. Bankruptcy Court for the Eastern District of Texas, or by first class United States Mail, postage prepaid on this the 22nd day of July 2022.

/s/ Michael Gilmore
Michael Gilmore